

**Zone Text Change Analysis
Shane Smith**

**ZT-1-2009, Transit Oriented Development Zone
West Valley City
3600 Constitution Boulevard
West Valley City, Utah 84119**

Zone Text Change Affecting:

West Valley City Code, 7-1-103, Definitions

West Valley City Code, 7-6-101, Establishment of Zones

&

Establishing West Valley City Code, 7-6-1700, Transit Oriented Development Zones

Continued from 10 June 2009

Purpose

This Zone Text Change is proposed to establish zoning options, incentives and guidance for the development of Transit Oriented Development (TOD) projects around light rail transit (LRT) or bus rapid transit (BRT) stations. TOD is an approach to development that integrates land uses, development intensity and transportation options, centering primarily on access to the public transit system.

Issues

Upon approval of continuation of this application at the 10 June 2009 Planning Commission meeting, several changes were recommended. Each of the changes mentioned below were changed in the text of the TOD ordinance:

1. Provide a more general **high performance building and site design density bonus**, making third party verification optional. Broad goals of high performance building design are included to provide some direction. This change makes this density allowance more accessible, but potentially more difficult to objectively verify. West Valley City staff is not currently in a position to verify high performance measures and getting to that point may be more time-consuming, difficult and costly than might be expected. This element must be applied in a fair and objective manner to any and all developers, which is not possible in the City at present given the current language of this requirement.
2. Provide for a **parking structure density bonus**. This additional density allowance is an excellent addition to the list of incentives, potentially making development more feasible.
3. Replace the **maximum building height** measured in feet to one measured in more flexible stories. This was further amended to include an absolute maximum building height of 75 feet. The use of a measure in stories allows enough flexibility for a developer to provide a 15 foot story for a higher quality residential, commercial or office interior, while not risking the loss of an entire floor. The height cap of 75 feet is the same as the C-2 zone limit, where much of the potential TOD is likely to be located.
4. Provide a **residential unit size minimum** by type (number of bedrooms) as well as a limit to the share of studio units in a development. The interest of West Valley City and the Planning Commission in high quality and high end TOD development may not be realized through this unit size requirement. Many factors influence the cost, quality and desirability of residential units, the area of the unit being only one variable. Many other factors will affect the price of a residential unit including access to multiple modes of efficient transportation, interior design elements and views, access to nearby services and schools, the desirability of the area, access to

parks and recreation, land values, and a healthy and safe environment. Rather than a required minimum unit size standard, the concept may be added to the high end housing density incentive as an option for developers. The size of a residential unit might be more a matter of individual taste, which the residential market may address on its own.

5. Eliminate requirement for **residential fenestration**. While there are some minor benefits to keeping this requirement in maintaining district consistency and potential long term adaptive reuse, this change is also appropriate considering the interest in residential privacy.
6. Require that **light fixtures** be installed on both sides of the street. This would apply largely to streets internal to a development where a 'Streetscapes Along High Image Arterial' ordinance does not already apply. Developers will not be required to install street lamps on a streetscape that is not within their proposed development area.

Other concerns expressed at the Planning Commission meeting not addressed in the application include the use of radii to represent the possible location of a TOD zone and the potential for excessive interest in or use of the TOD-O zone as opposed to the TOD-R, TOD-E and TOD-M zones.

Staff Alternatives

1. **Approval**, a positive recommendation of this ordinance to the City Council.
2. **Approval with further recommendations**, a positive recommendation of this ordinance to the City Council with suggested changes as determined through the public hearing.
3. **Continuance**, to complete further research and/or resolve any questions.
4. **Denial**, a negative recommendation, without formal comments or suggested changes, of this ordinance as written to the City Council for reasons determined through the public hearing.